

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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DEBORAH STAMPFLI, an individual,
Plaintiff,

v.

SUSANVILLE SANITARY DISTRICT, a
political subdivision of the
State of California; STEVE J.
STUMP, in his individual and
official capacities; JOHN
MURRAY, in his individual and
official capacities; ERNIE
PETERS, in his individual and
official capacities; DAVID
FRENCH, in his individual and
official capacities; KIM ERB, in
his individual and official
capacities; MARTY HEATH, in his
individual and official
capacities; DOES I-V, inclusive;
BLACK & WHITE CORPORATIONS I-V;
and ABLE & BAKER COMPANIES,
inclusive,

Defendants.

No. 2:20-cv-01566 WBS DMC

ORDER STAYING CASE¹

¹ The motion is decided on the papers without oral
argument pursuant to Local Rule 230(g).

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Defendant Steve J. Stump has appealed this court's denial of its motion for summary judgment on the sole remaining constitutional claim, and now moves to stay the remaining state law claim pending resolution of that appeal. (See Docket Nos. 113, 114, 117). Plaintiff has not filed an opposition to the motion.

A federal court can stay a proceeding pending the outcome of an appeal. See Nken v. Holder, 556 U.S. 418, 421 (2009). The power to stay proceedings "is incidental to the power inherent in every court to control the disposition of the cases on its docket with economy of time and effort for itself, for counsel, and for litigants." Landis v. N. Am. Co., 299 U.S. 248, 254 (1936).

The court in its discretion determines that a stay is appropriate. Accordingly, this case is STAYED pending resolution of defendant's appeal. All hearing dates in this case are hereby VACATED. The parties shall file a joint status report within 14 days after the Ninth Circuit issues a decision in the appeal.

IT IS SO ORDERED.

Dated: April 13, 2023


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE